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THE ANDHRA PRADESH GAZETTE PUBLISHED BY AUTHORITY

W.No.20

AMARAVATI, TUESDAY, MAY 24, 2022

G.336

PART II - MISCELLANEOUS NOTIFICATIONS OF INTEREST TO THE PUBLIC

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NOTIFICATIONS BY HEADS OF DEPARTMENTS Etc.,

SUPERINTENDENT OF JAILS, CENTRAL PRISON, KADAPA.

Proc.No.CPK / OS / E / 4306 / 2022.

Dated: 05-05-2022.

Sri S. CHANDRA TEJA, WARDER, CENTRAL PRISON, KADAPA - ABSENTED FROM DUTY UNAUTHORISEDLY SINCE 13-09-2019 AND EXHIBITED GROSS MISCONDUCT - DEPARTMENTAL PROCEEDINGS UNDER RULE 20 OF APCS (CCA) RULES 1991 - ARTICLE OF CHARGE - ISSUED - ENQUIRY REPORT COMMUNICATED TO THE CHARGED OFFICER - FINAL ORDERS.

- Ref:-
- 1.Leave Application of Sri S.Chandra Teja, Warder No.62.
 - 2.This Office Proc.No.CPK/E/5017/2019 Dated.23-09-2019.
 - 3.Report of Sri A.Naresh Kumar, Jailor Dated.12-11-2019.
 - 4.This Office Memo.No.CPK/E/6066-2/2019 Dated.13-11-2019.
 - 5.Report of Sri A.Naresh Kumar, Jailor Dated.09-01-2020.
 - 6.This Office Charge Memo.No.CPK/OS/E/220/2020 Dated.10-01-2020.
 - 7.Lr.No.CPK/E/507/2020 Dated.01-02-2020 addressed to Superintendent, Sub Jail, Atmakur.
 - 8.Lr.No.SJ/ATK/137/2020 Dated.06-03-2020 of Superintendent Sub Jail Atmakur.
 - 9.This Office Memo.No.CPK/OS/E/3946/2020 Dated.18-08-2020.
 - 10.Sri S.Chandra Teja, Warder No.62 reported for duty on 04-09-2020.
 - 11.Explanation submitted by Sri S.Chandra Teja, Warder No.62 on 21-09-2020 along with Medical Certificates.

12. Proc.No.DIG(KR)/OS/2814/2020 Dated.11-11-2020 of Dy. Inspector General of Prisons, Kadapa Range, Kadapa.
 13. Lr.No.DSJO/OGL/I.O/1833/2020 Dated.03-12-2020 of Inquiry Officer-Cum-District Sub Jails Officer, Prakasam District Ongole.
 14. Lr.No.DSJO/OGL/I.O/1923/2020 Dated.15-12-2020 of Inquiry Officer-Cum-District Sub Jails Officer, Prakasam District Ongole.
 15. This Office Lr.No.CPK/OS/E/6361/2020 Dated.18-12-2020.
 16. Lr.No.DSJO/OGL/I.O/1952/2020 Dated.22-12-2020 of Inquiry Officer-Cum-District Sub Jails Officer, Prakasam District Ongole.
 17. Letter of Sri CH.Ramesh, Presenting Officer-Cum-Jailor District Jail, Ananthapuramu on 22-12-2020.
 18. Lr.No.DJ/ATP/SA/2774/2020 Dated.22-12-2020 of Superintendent District Jail, Ananthapuramu.
 19. Lr.No.DSJO/OGL/I.O/203/2021 Dated.29-01-2021 of Inquiry Officer-Cum-District Sub Jails Officer, Prakasam District Ongole.
 20. Lr.No.DSJO/OGL/I.O/47/2021 Dated.05-01-2021 of Inquiry Officer-Cum-District Sub Jails Officer, Prakasam District Ongole.
 21. Lr.No.PAC/ATP/EO/1606/2021 Dated.25-09-2021 of Superintendent Prisoners Agricultural Colony, Ananthapuramu.
 22. Representation of Sri S.Chandra Teja, Warder No.62. Dated.04-10-2021
 23. Lr.No.PAC/ATP/EO/74/2022 Dated.06-01-2022 of Dy. Superintendent of Jails-Cum-Enquiry Officer, Prisoners Agricultural Colony, Ananthapuramu.
 24. Representation of Sri S.Chandra Teja, Warder No.62. Dated.11-01-2022.
 25. Dy. Inspector General of Prisons, Kadapa Range Kadapa vide Memo.No. DIG(KR)/OS/543/2022 Dated.11-03-2022
 26. This Office Lr.No.CPK/OS/E/1430/2022 Dated.16-03-2022.
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ORDER:-

Sri S.Chandra Teja, Warder No.62 Central Prison, Kadapa has applied (06) days Earned Leave from 07-09-2019 to 12-09-2019 on Private affairs vide his application vide reference 1st cited, and the same was sanctioned vide reference 2nd cited. He was due to report back for duty on 13-09-2019.

2. Subsequently, Sri A.Naresh, Jailer Central Prison, Kadapa in his report dated.12-11-2019 vide reference 3rd cited has reported that Sri S.Chandra Teja, Warder No.62 Central Prison Kadapa who is due to report for duty on 13-09-2019 absented from duties unauthorisedly since 13-09-2019. Basing on the report of the Jailer, he was instructed to report for duty immediately vide this office memo 4th cited. But, the said warder did not report for duty. Hence, the following Article of Charge was framed against him vide this office Charge Memo 6th cited.

ARTICLE

"That the said Sri S.Chandra Teja, Warder No.62 Central Prison, Kadapa has exhibited gross dereliction in performance of his legitimate duties by absenting for duty unauthorisedly since 13-09-2019 without sanction of leave or informing any superior officer in the Prison".

Imputation of Charge

Sri S.Chandra Teja, Warder No.62 Central Prison, Kadapa has absented from duty unauthorisedly since 13-09-2019. He being a member of the Guarding force establishment needs to be disciplined and be always ready to attend the calls for duty when ever required, but he failed to exhibit such behaviour and absented without obtaining prior permission or at least informing any superior officer in the Prison. It clearly shows his gross negligence in performance of his legitimate duties. The Rule (3) (1) of A.P. Civil Services (Conduct) Rules, 1964 clearly shows that "Every Government employee shall be devoted to his duty and shall maintain absolute integrity, discipline, impartiality and a sense of propriety". Thus, he violated Rule No.3 of APCS (Conduct) Rules 1964 and Rule No.90 of A.P. Prison Rules 1979. Hence, the Charge.

3. The said Charge Memo was sent to his residential address as declared in his Service Register. But, it was not delivered to him by the postal authorities, the same was returned to this institution by the postal authorities. This office has requested the Superintendent, Sub Jail, Atmakur to serve the said memo to Sri S.Chandra Teja, Warder through a messenger of his institution, since the Charged Officer was residing at Butchireddipalem, SPSR Nellore District vide this office letter 7th cited. The Superintendent Sub Jail, Atmakur served the said Charge Memo to the mother of Sri S.Chandra Teja, Warder in his residence duly obtaining her dated signature on the duplicate copy on 06-03-2020 and he sent the same to this office vide letter 8th cited.

4. Again the said Charge Memo was sent to the Charged Officer to his residential address as declared in his Service Register by Registered post vide this office memo 9th cited. But, the tappal was not delivered to the Charged Officer. The postal authorities returned the tappal to this institution stating that "Address on inquiry".

5. The Charged Officer reported for duty on 04-09-2020 in this institution (after unauthorised absence of 356 days) vide reference 10th cited. He was taken to duty w.e.f.04-09-2020 pending disciplinary proceedings. The said Charge memo served on the Charged Officer on 09-09-2020.

6. In this connection it is submitted that during the absence period of the Charged Officer i.e., from 13-09-2019 to 03-09-2020 (11 months 22 days) he did not submit any leave applications or any other representations to this institution. In his joining report dated.04-09-2020 he stated that he applied for Earned leave for (06) days from 07-09-2019 to 12-09-2019

and left the Head quarters to solve his personal problems and then he fallen sick at his native place. He has also stated that due to his ill health he absented from duties unauthorisedly.

7. Further, Sri S.Chandra Teja, Warder Central Prison, Kadapa has submitted his written statement of defense along with Medical Certificates vide reference 11th cited, where in he has stated that after granting of (06) days of Earned Leave from 07-09-2019 to 12-09-2019 he has proceeded to his native place to solve his family problems. As the family problems increased and in unavoidable circumstances, his health condition was deteriorated and on 10-09-2019 he has approached the Doctor. On analyzing him, the Doctor has informed him to take bed rest since he was suffering with severe back pain. After getting regular treatment and on complete restoration of his health he has reported for duty on 04-09-2020. He admitted that he failed to inform to his higher authorities about his ill health either through letter or other channels. He further stated that, due to back pain he absented from duty from 13-09-2019 to 03-09-2020 but not intentional. He has enclosed the Medical Certificates issued by the Casualty Medical Officer, CAS,ACSR Government General Hospital, Nellore. In the said Medical Certificates, the Medical Officer certified that Sri S.Chandra Teja, Jail Warder suffering from "Chronic Back Pain and breathlessness". He has produced medical fitness Certificate issued by the same Casualty Medical Officer on 04-09-2020.

8. He thus worked for (43) days from 04-09-2020 to 16-10-2020 and again absented from 17-10-2020

9. His explanation was not Satisfactory, since the warder has absented from duties for a period of more than (11) months (22) days, this office has requested the Dy. Inspector General of Prisons, Kadapa Range, Kadapa to appoint an Inquiry Officer Under Rule 20 of APSCS (CC&A) Rules 1991 to conduct detailed Inquiry into the charges framed against Sri S.Chandra Teja, Warder vide this office Lr.No.CPK/E/5415/2020 Dated.04-11-2020. Accordingly, the Dy. Inspector General of Prisons, Kadapa Range, Kadapa has appointed Sri K.Venkat Reddy, District Sub Jails Officer,Prakasam District Ongole as an Inquiry Officer and Sri B.Ramesh, Jailor District Jail, Ananthapuramu as a Presenting Officer vide reference 12th cited. In accordance with the orders of Dy.Inspector General of Prisons, Kadapa Range, Kadapa, the Inquiry Officer, Inquiry date fixed on 16-12-2020 and on 23-12-2020 vide reference 13th and 14th cited, and the same was communicated by this institution vide reference 15th cited. But, the Charged Officer has not attended before the Inquiry Officer on

the said dates. Again the Inquiry Officer fixed another date of Inquiry on 05-01-2020 vide reference 16th cited, in the same manner the Charged Officer has not attended before the Inquiry Officer. Apart from that, Sri B.Ramesh, Presenting Officer, has also submitted a letter addressing to the Inquiry Officer-Cum-District Sub jails Officer, Ongole, vide reference 17th cited, where in he stated that the Charged Officer Sri S.Chandra Teja, warder has not answering his calls even though he has attempted several times. The Charged Officer has not make a return call to him after seeing the missed calls. It shows that he wilfully avoided to answer his calls. The representation of the same has been forwarded by the Superintendent, District Jail, Ananthapuramu to the Enquiry Officer-Cum-District Sub Jails Officer, 'Ongole vide reference 18th cited. Further the Inquiry Officer, has requested the Deputy Inspector General of Prisons, Kadapa Range Kadapa to permit him to conduct the Inquiry when the Charged Officer is available on duty vide reference 19th cited. Again the Inquiry Officer fixed another date of Inquiry on 29-01-2021 vide reference 20th cited. But, the Charged Officer has not attended for Inquiry.

10. Sri S.Chandra Teja, warder, who was on long unauthorised absence from duties from **13-09-2019 to 03-09-2020 (11) months and (22) days and from 17-10-2020 to 14-10-2021 (11) months (30) days** and again reported for duty on 15-10-2021. And again absented for duty from 16-10-2021 to till today i.e., on 05-05-2022. He was absented for duties more than (02) years.

11. In the meanwhile, a New Guntur Range Office was created, which resulted in the change of Jurisdiction of the Inquiry Officer, as the Inquiry Officer, who is working as District Sub Jails Officer, Ongole fallen under the Jurisdiction of Guntur Range. As a result, the Dy. Inspector General of Prisons, Kadapa Range, Kadapa has called back the entire disciplinary case file from the previous Inquiry Officer. Accordingly, in exercise of powers conferred by Sub Rule (2) of Rule 20 of A.P. Civil Service (CC&A) Rules 1991, the Deputy Inspector General of Prisons, Kadapa Range Kadapa has appointed New Enquiry Officer i.e., Sri L.Rangaswamy; Dy.Superintendent of Jails-Cum-District Sub Jails Officer (FAC) Ananthapuramu **as Inquiry Officer** and in exercise of the powers conferred by Sub Rule (5) (c) of Rule 20 of A.P. Civil Service (CC&A) Rules 1991 Sri S.Amar Basha Jailor, Office of the District Sub Jails Officer, YSR District **as Presenting Officer** to inquire into the Charges framed against the Charged Officer and to submit a detailed Inquiry Report within one month

vide Proc.No.DIG(KR)/OS/2177/2021 Dated.16-09-2021. Accordingly, the Inquiry officer has fixed his Inquiry date on 04-10-2021 and informed to the Charged Officer vide reference 21st cited. The Charged Officer has attended for enquiry on 04-10-2021 and submitted a representation vide reference 22nd cited, where in he has stated that he has not prepared for Enquiry, as a result he sought (07) days time to participate in the Enquiry. Again the Inquiry Officer fixed another date of Inquiry on 11-01-2022 vide reference 23rd cited. The Charged Officer has attended for Inquiry on 11-01-2022 and submitted his written statement vide reference 24th cited. Accordingly, the Deputy Superintendent of Jails-Cum-Enquiry Officer, Prisoners Agricultural Colony, Ananthapuramu has completed his enquiry and PROVED the Charges framed against Sri S.Chandra Teja, Warder No.62 and submitted his Detailed Inquiry Report to the Deputy Inspector General of Prisons, Kadapa Range, Kadapa vide Lr.No.PAC/ATP/DS/335/2022 Dated.03-03-2022. In-turn, the Deputy Inspector General of Prisons, Kadapa Range, Kadapa has communicated the Inquiry Report to this institution vide reference 25th cited. Accordingly, the Enquiry Report has been communicated to Sri S.Chandra Teja, warder No.62 Charged Officer to his residential address through Registered Post as per Rule 42 Sub Rule (ii) of A.P.Civil Services (CC&A) Rules 1991, which says, if he on leave or under suspension or otherwise absent be communicated to him by Registered Post to the address given by him, if any, or of his usual place of residence, and directing him to submit his defense statement within (15) days from the date of receipt of the Inquiry Report vide reference 26th cited. But the Charged Officer has not submitted any written statement.

12. On perusal of the entire file and Inquiry Report, it is noticed that Sri S.Chandra Teja, Warder Central Prison, Kadapa has unauthorisedly absented from his duties in three spells.

- 1) From 13-09-2019 to 03-09-2020 (356) days
- 2) From 17-10-2020 to 14-10-2021 (364) days
- 3) From 16-10-2021 to till to date (05-05-2022, i.e., date of passing of this order) (202) Days

13. On careful observation of his pattern of his period of unauthorised absence, it can be deduced that he attempted to exploit the provision laid down in G.O.Ms.No.260 GA(Service-C)Dept., Dated.04-09-2003, which stipulates for punishment of Removal from Service for unauthorised absence for duty for continuous "Period exceeding one year and he managed to break the continuous period of one year Un-authorized absence, so as to escape from the

ambit of punishment by attending the duties intentionally viz., from 04-09-2020 to 16-10-2020 and on 15-10-2020, which shows his lack of Integrity and lack of devotion to duty. Thus unbecoming of Government Servant. However this did not absolves him from violations of Rules of Gross misconduct under Rule 3 (1) of APCS (CC&A) Rules 1991 and Rule No.90 of A.P. Prison Rules 1979.

14. Hence, it can be concluded that the absence is Willful and no compelling circumstances beyond his control were established. Moreover, the delinquent Officer has submitted False Medical Report Dated 17-10-2020, which was affirmed by the Superintendent, Government General Hospital, Nellore vide RC.No.2211/61/GGH/2021 Dated. Nil-07-2021

15. Thus, the Undersigned after careful examination of the Charge Memo, regular Inquiry report of the Inquiry Officer and further representation of the Charged Officer and all other relevant available records has come to conclusion as under.

16. The Rule (3) (1) of A.P. Civil Services (Conduct) Rules, 1964 clearly shows that "Every Government employee shall be devoted to his duty and shall maintain absolute integrity, discipline, impartiality and a sense of propriety". And the Rule No.90 shows that No Subordinate officer shall absent during the hours fixed for his attendance without the permission of the Superintendent or Jailor. Thus, he violated the said Rules.

17. Hence the Undersigned hereby award the punishment of "Removal from Service" with immediate effect against Sri S.Chandra Teja, Warden No.62, Central Prison, Kadapa. which shall not be a disqualification for future employment under the Government Under Rule 9 (ix) of A.P Civil Services (CC&A) Rules 1991

18. Sri S.Chandra Teja, Warden No.62, Central Prison, Kadapa is informed that, he may prefer an appeal against this order to the competent authority within the period of (3) months from the date of receipt of this order.

19. Necessary entries shall be made in the Service Register of the individual under proper attestation.

I. N. H. PRASAD,
Superintendent of Jails (FAC),
Central Prison, Kadapa.

To

Sri S.Chandra Teja, Warden No.62 Central Prison, Kadapa, Rebala (Village)
Butchireddypalem,(Mandal) Sripottisriramulu Nellore District. (**By Registered Post**)